

REMARKS

The Examiner maintains that pending claims 13-17 are not readable on the elected invention of original claims 1-12. To sustain this position the Examiner must demonstrate that the alleged sub-combinations do not overlap in scope. In this case, the alleged sub-combinations do overlap in scope. The original claims process similarity scores and claim similarity scores that are within a tolerance of one of one another. The pending claims process a similarity value to identify a non-exact similarity match (*i.e.*, similarity scores within a tolerance of one another).

The Examiner has already searched relevant fields associated with the claimed invention. Restriction is only proper when there would be a *serious* burden if restriction were not required. MPEP 806.05(d)

No such burden exists here. The original and pending claims overlap in scope. The fact that the pending claims include additional limitations does not create a *serious* burden for the Examiner. Indeed, it is the applicant that is experiencing a serious burden trying to advance prosecution of this application, which was filed over six years ago. The Examiner's position is unreasonable, particularly since the applicant has just paid a new examination fee.

In view of the foregoing, reconsideration of the Examiner's position is respectfully requested. More particularly, an office action on the merits or a notice of allowance is requested with dispatch.

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